

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN CAMPOLO,

Plaintiff,

v.

AETNA LIFE INSURANCE COMPANY;
OFFICE DEPOT TEMPORARY DISABILITY
PLAN; OFFICE DEPOT LONG TERM
DISABILITY PLAN,

Defendants.

No. C 10-5634 CW

ORDER DENYING
PLAINTIFF'S
AMENDED
ADMINISTRATIVE
MOTION FOR A
SEALING ORDER,
Docket No. 44.

On April 4, 2012, Plaintiff filed an amended administrative motion to seal, pursuant to Local Rule 79-5(d). It was not evident that Plaintiff had served unredacted versions of the Trial Brief and Exhibit D on Defendant Aetna Life Insurance Company, such that it could review the motion and submit a declaration, pursuant to Rule 79-5(d), if it wished to support the motion to seal.

Accordingly, on April 5, 2012, the Court ordered Plaintiff to file a certificate of service within one day, confirming that he had served on Defendants the unredacted versions of the brief and Exhibit D. The Court stated that it would allow Aetna to respond to the motion to seal within seven days after Plaintiff's filing of proof of service.

1 Later on April 5, 2012, Plaintiff efiled a declaration
2 confirming the required service. Aetna has failed to file a
3 declaration in support of the motion to seal, as required under
4 Rule 79-5(d). Therefore, the motion to seal is denied.

5 Under Local Rule 79-5(e), when a motion to seal is denied in
6 full, "the submitting party may retain the document and not make
7 it part of the record in the case, or within 4 days, re-submit the
8 document for filing in the public record." Accordingly, within
9 four days Plaintiff must either withdraw his brief and Exhibit D
10 from the record or file unredacted versions of these items.

11 IT IS SO ORDERED.

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13 Dated: 4/16/2012

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15 CLAUDIA WILKEN
16 United States District Judge
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